

FILED
10/7/22 10:23 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: John Ortiz

)
) **Case No. 20-20011-GLT**
)
) **Chapter 13**
)
Debtor(s).)
X Related to Dkt. No. 110

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis**

☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**
On Interim Basis Solely as Adequate 9-2-2022
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$2,426 effective 8/2021.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$3,220, beginning 10/2022. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
*Boro of Crafton SWG fees CL #12
*Boro of Crafton Trash fees CL #13
-
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

-
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☐ K. Additional Terms and Conditions:

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: October 7, 2022


Gregory J. Taddonio jah
Chief United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
John Ortiz
Debtor

Case No. 20-20011-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 07, 2022

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 36

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 09, 2022:

Recip ID	Recipient Name and Address
db	+ John Ortiz, 30 Lawson Avenue, Pittsburgh, PA 15205-2927
cr	+ Borough of Crafton, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES OF AMERICA 15219-6101
cr	+ USAA Federal Savings Bank, c/o Weinstein & Riley, P.S, 11101 West 120th Ave, Suite 280, Broomfield, CO 80021-2756
15178586	+ Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
15197315	+ Allegheny County Domestic Relations, FAMILY DIVISION, 440 ROSS STREET, Pittsburgh, PA 15219-2413
15215122	+ Borough of Crafton, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15197324	+ Nicole Ortiz, 2 Norma Street, Pittsburgh, PA 15205-2729
15197326	+ PA SCDU, PO Box 69110, Harrisburg, PA 17106-9110
15178593	Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012
15178595	+ Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
15178598	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306
15213886	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: ElectronicBankruptcyNotices@fnb-corp.com	Oct 07 2022 23:46:00	First National Bank of Pennsylvania, 4140 East State Street, Hermitage, PA 16148-3401
cr	+ Email/Text: ebnpeoples@grblaw.com	Oct 07 2022 23:46:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15217169	+ Email/Text: BankruptcyNotices@aafes.com	Oct 07 2022 23:46:00	Army & Air Force Exchange Services, Attention: GC-G, 3911 S. Walton Walker Blvd, Dallas, TX 75236-1509
15178587	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 07 2022 23:46:04	Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15181215	Email/Text: mrdiscen@discover.com	Oct 07 2022 23:46:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15178588	+ Email/Text: mrdiscen@discover.com	Oct 07 2022 23:46:00	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15214852	+ Email/Text: kburkley@bernsteinlaw.com	Oct 07 2022 23:46:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15178589	+ Email/Text: bncnotifications@phea.org	Oct 07 2022 23:46:00	Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
15178590	+ Email/Text: ElectronicBankruptcyNotices@fnb-corp.com	Oct 07 2022 23:46:00	First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15197322	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 07 2022 23:46:00	Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107

District/off: 0315-2

User: auto

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15178591	+ Email/Text: BankruptcyNotices@aafes.com	Oct 07 2022 23:46:00	Military Star, 3911 Walton Walker, Dallas, TX 75236-1509
15199803	Email/Text: nsm_bk_notices@mrcooper.com	Oct 07 2022 23:46:00	Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741
15181143	+ Email/PDF: cbp@onemainfinancial.com	Oct 07 2022 23:46:03	Onemain, PO Box 3251, Evansville, IN 47731-3251
15178592	+ Email/PDF: cbp@onemainfinancial.com	Oct 07 2022 23:46:10	Onemain, Po Box 1010, Evansville, IN 47706-1010
15194608	Email/Text: bankruptcy@bbandt.com	Oct 07 2022 23:46:00	Sheffield Financial, PO Box 1847, Wilson, NC 27894-1847
15178594	+ Email/Text: bncmail@w-legal.com	Oct 07 2022 23:46:00	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15202656	^ MEBN	Oct 07 2022 23:41:51	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15202682	^ MEBN	Oct 07 2022 23:42:06	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15217262	+ Email/Text: nsm_bk_notices@mrcooper.com	Oct 07 2022 23:46:00	USAA FEDERAL SAVINGS BANK, NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER, Bankruptcy Department, PO BOX 619096, DALLAS TX 75261-9096
15207071	+ Email/Text: RASEBN@raslg.com	Oct 07 2022 23:46:00	USAA Federal Savings Bank, Robertson, Anschutz, Schneid., Crane & Partners, PLLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
15197332	+ Email/Text: nsm_bk_notices@mrcooper.com	Oct 07 2022 23:46:00	USAA Federal Savings Bank, PO Box 619094, Dallas, TX 75261-9094
15197330	Email/Text: bkelectronicnotices@usaa.com	Oct 07 2022 23:46:00	Usaa Federal Savings, Pob 47504, San Antonio, TX 78265
15178596	Email/Text: bkelectronicnotices@usaa.com	Oct 07 2022 23:46:00	Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
15178597	+ Email/Text: bkelectronicnotices@usaa.com	Oct 07 2022 23:46:00	Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
15213886	Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Oct 07 2022 23:46:07	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 25

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper as servic
cr		USAA Federal Savings Bank
cr		USAA Federal Savings Bank
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15197314	*+	Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
15197316	*+	Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15197317	*+	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15197318	*+	Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
15197319	*+	First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15197321	*	Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
15197320	*+	Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
15197323	*+	Military Star, 3911 Walton Walker, Dallas, TX 75236-1509
15197325	*+	Onemain, Po Box 1010, Evansville, IN 47706-1010
15197327	*	Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012

District/off: 0315-2

User: auto

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15197328	*+	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15197329	*+	Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
15197331	*	Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
15197333	*+	Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
15197334	*	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306

TOTAL: 3 Undeliverable, 16 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 09, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 7, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor USAA Federal Savings Bank bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for USAA Federal Savings Bank bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor USAA Federal Savings Bank cwohrlab@raslg.com
David W. Raphael	on behalf of Creditor First National Bank of Pennsylvania raphaeld@fnb-corp.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Crafton jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kristen D. Little	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for USAA Federal Savings Bank kdlittleecf@gmail.com
Michael John Clark	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for USAA Federal Savings Bank mclark@squirelaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor John Ortiz ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com
Thomas Song	on behalf of Creditor USAA Federal Savings Bank pawb@fedphe.com

TOTAL: 13